

Express Mail No.: EV 832910058 US

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

Applicants: John L. Schenk, George E. Seidel, Tae Kwang Suh
Application Number: 10/523,268
317 Date: July 7, 2005
Title: Low Pressure Sperm Cell Separation System
TC/A.U: 1632
Examiner: Marcia Stephens Noble
Assignee: XY, Inc.
Attorney Docket: XY-LowPressure-USNP
Confirmation No. 5591
Customer No. 33549

CERTIFICATE OF EXPRESS MAILING

I, Cheryl A. Swanson, hereby certify to the truth of the following items:

1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, Colorado 80521.
2. I have this day deposited the attached Response to Restriction Requirement Under 35 U.S.C. § 121 with the United States Postal Service as Express Mail, postage prepaid, for mailing to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Dated this 28th day of November, 2006.

Cheryl A. Swanson
Cheryl A. Swanson



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RESPONSE TO RESTRICTION REQUIREMENT

UNDER 35 U.S.C. § 121

I. INTRODUCTORY REMARKS:

In the official action mailed August 28, 2006, the Examiner requires restriction in the above-referenced application. The Examiner has set forth Group I, claims 1-40, Group II, claims 41-52, Group III, claims 53-57, Group IV, claims 58-60, and Group V, claim 61. A shortened statutory period of 1 month has been set, making a response to this action due on or by September 28, 2006. The applicant is requesting that this time period be extended for two months to and including November 28, 2006 has included a Petition for Extension of Time along with the prescribed fee. This response is made in accordance with 37 C.F.R. § 1.121 as amended using the format with each heading beginning on a separate page as follows:

Amendments to the Claims begins on page 2 of this reply.

Remarks begins on page 13 of this reply.